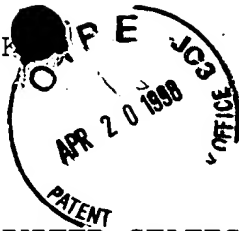


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AJC74
AJC:lbj
April 17, 1998



6p16427
PATENT APPLICATION
Docket No.: GSF97-06

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gerd Sutter, Marion Ohlmann and Volker Erfle
Serial No.: 09/002,443 Group Art Unit: 1642
Filed: January 2, 1998
For: RECOMBINANT MVA VIRUS, AND THE USE THEREOF

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>4-17-98</u>	<u>Karen DiRocco</u>
Date	Signature
<u>Karen DiRocco</u>	
Typed or printed name of person signing certificate	

RECEIVED
APR 23 1998

REQUEST FOR CHANGE OF DOCKET NUMBER

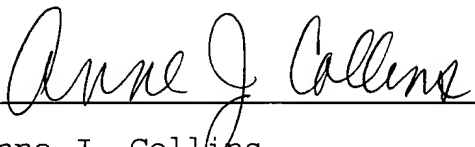
Customer Correction Office
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants' Attorney requests that the docket number of record for the above-referenced case be changed to GSF97-06A. This request is made to better identify this application within our offices.

A check in the amount of \$25.00 is enclosed. Please charge any additional fees that may be due in this matter to Attorney's Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,



Anne J. Collins

Attorney for Applicants

Registration No. 40,564

Telephone (781) 861-6240

Facsimile (781) 861-9540

Lexington, Massachusetts 02173

Date: *April 17, 1998*

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AJC74
AJC:kfd(lbj)
April 16, 1998

APR 20 1998

OFFICE OF
PATENT & TRADEMARK

Box SEQ- Sector 4

PATENT APPLICATION
Docket No.: GSF97-06

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gerd Sutter, Marion Ohlmann and Volker Erfle
Serial No.: 09/002,443
Filed: January 2, 1998
For: RECOMBINANT MVA VIRUS, AND THE USE THEREOF

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on <u>4-17-98</u>	<u>Karen DiRocco</u>
Date	Signature
<u>KAREN DIROCCO</u>	
Typed or printed name of person signing certificate	

TRANSMITTAL OF DECLARATION/POWER OF ATTORNEY

Box Missing Part
Assistant Commissioner for Patents
Washington, D.C. 20231

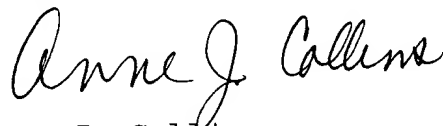
Sir:

In response to the Notice to File Missing Parts dated April 1, 1998, enclosed herewith is an executed Declaration/Power of Attorney for filing in the captioned application. Although the Notice did not indicate that the referenced application does not comply with the Sequence Rules, a Sequence Listing is also enclosed for filing in the application. A copy of the Notice is attached together

with a check in the amount of \$130.00 in payment of the surcharge.

Please charge Applicants' Attorney's Deposit Account No. 08-0380 for any additional fees that may be due in this matter. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,



Anne J. Collins

Registration No. 40,564

Telephone (781) 861-6240

Facsimile (781) 861-9540

Lexington, Massachusetts 02173

Date: *April 17, 1998*

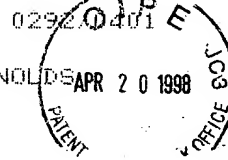


UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/002-443 04/02/98 SUTTER GSF97-06

DAVID E BROOK
HAMILTON BROOK SMITH & REYNOLDS
TWO MILITIA DRIVE
LEXINGTON MA 02173



NOT ASSIGNED

1642

DATE MAILED:

04/01/98

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items, and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
☐ small entity (statement filed) ☒ non-small entity is \$ 130

☐ 1. The statutory basic filing fee is:

- ☐ missing.
- ☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required.

\$ _____ for _____ independent claims over 3.

\$ _____ for _____ dependent claims over 20.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. The oath or declaration:

- ☐ is missing or unexecuted.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

04/22/1998 01 FC:105 ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:
130.00

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

FORM PTO-1533 (REV. 9-97)

BEST AVAILABLE COPY